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Attorneys for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MCCLINTON ANDERSON TOWNER,

Plaintiff,

v.

MARTIN O'MALLEY,
Commissioner of Social Security,

Defendant.

Case No.: 2:24-cv-01608-DJA

**STIPULATION TO VOLUNTARY
REMAND PURSUANT TO SENTENCE
FOUR OF 42 U.S.C. § 405(g) AND TO
ENTRY OF JUDGMENT FOR
PLAINTIFF**

The parties, through their respective counsel, hereby stipulate and agree that the above-captioned case be reversed and remanded to the Commissioner of Social Security for a hearing before an Administrative Law Judge (ALJ) and a new decision in regard to Plaintiff's applications for disability benefits. On remand, the ALJ will take any necessary action to complete the administrative record, offer Plaintiff a hearing, re-evaluate Plaintiff's ability to perform other work at step five, to

1 include obtaining vocational expert evidence as necessary, while resolving any inconsistencies
2 between the VE testimony, the DOT, and the RFC, and issue a new decision.

3 The parties stipulate that this remand be made pursuant to sentence four of 42 U.S.C. § 405(g),
4 and that Plaintiff may be entitled to reasonable attorney fees and costs pursuant to the Equal Access to
5 Justice Act, 28 U.S.C. § 2412(d), upon proper request to this Court.

6 The parties further request that the Clerk of the Court be directed to enter a final judgment in favor
7 of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

8
9 DATED this 27th day of November 2024.

10 Respectfully submitted,

11 JASON M. FRIERSON
United States Attorney

12 MATHEW W. PILE
13 Associate General Counsel
14 Office of Program Litigation, Office 7
Social Security Administration

15 s/ Franco L. Becia

16 FRANCO L. BECIA
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1 DATED this 27th day of November 2024.

2 s/ Franco L. Becia For
3 LEONARD STONE and MARC V. KALAGIAN
4 Attorneys for Plaintiff
(PER EMAIL AUTHORIZATION)

5 **IT IS SO ORDERED.** The Clerk is kindly directed to enter judgment accordingly
6 and close the case.

7 
UNITED STATES MAGISTRATE JUDGE

8 DATED: 12/3/2024
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CERTIFICATE OF SERVICE

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 6401 Security Boulevard, Baltimore, MD 21235. I am not a party to the above-entitled action. On the date set forth below, I caused service of **STIPULATION TO VOLUNTARY REMAND PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(g) AND TO ENTRY OF JUDGMENT FOR PLAINTIFF** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which provides electronic notice of the filing to:

Leonard Stone

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United Sta
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I declare under penalty of perjury that the foregoing is true and correct.

DATED this 27th day of November 2024

/s/ Franco L. Becia

Franco L. Becia
Special Assistant United States Attorney